



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,762	09/01/2006	Timo Tokkonen	KOL.221.WUS	7880

7590 07/22/2008  
Hollingsworth & Funk  
Suite 125  
8009 34th Avenue South  
Minneapolis, MN 55425

EXAMINER
----------

DAGLAWI, AMAR A

ART UNIT	PAPER NUMBER
----------	--------------

2618

MAIL DATE	DELIVERY MODE
-----------	---------------

07/22/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/591,762	<b>Applicant(s)</b> TOKKONEN ET AL.	
	<b>Examiner</b> Amar Daglawi	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/20/2006, 06/30/2008</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Reber (WO 01/37204 A1).

With respect to claim 1, Reber teaches Arrangement for performing functionality in an electronic device, that wherein the arrangement includes (Abstract):

a user manual , including a plurality of data storage elements on the pages of the user manual, each data storage element including instructions needed to solve a usage problem of the electronic device (Fig.1, fig.14, page 6, lines 33-37, page 9, lines 1-30), wherein

the electronic device includes reading means for reading the data storage element in the user manual, the electronic device further including controlling means for performing at least one operational setting on the basis of the read data storage element and for the purpose of solving the usage problem encountered by a user of the electronic device (Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 5-25).

3. With respect to claim 2, Reber further teaches the data storage element includes a radio frequency (RF) tag (page 8, lines 33-37, page 9, lines 5-25).

4. With respect to claim 3, Reber further teaches the data storage element includes a bar code (page 8, lines 10-25).
5. With respect to claim 4, Reber further teaches the data storage element includes a www link (page 5, lines 5-37).
6. With respect to claim 5, Reber further teaches the data storage element includes invisible data (page 8, lines 33-37, page 9, lines 1-30).
7. With respect to claim 6, Reber further teaches the controlling means is configured to perform the operational setting automatically (Fig.1, page 5, 5-37, page 8, lines 33-37, page 9, and lines 1-30).
8. With respect to claim 7, Reber further teaches the controlling means is configured to perform the operational setting in a tutorial way (Fig.3, Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 1-30).
9. With respect to claim 8, Reber further teaches the tutorial way proceeds in a step-by-step manner, and the controlling means is configured to proceed to a next step when a predefined or user-adjustable time has elapsed (Fig.3, Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 1-30).
10. With respect to claim 9, Reber further teaches when performing the operational setting in the tutorial way, the controlling means is configured to proceed in a step-by-step manner by taking proceed indications from the user of the device (Fig.3, Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 1-30).
11. With respect to claim 10, Reber further teaches the instructions included by the data storage element and read by the reading means include a software code portion,

and the controlling means is configured to add the read software code portion to an existing software code in the device or the controlling means is configured to replace an existing software code portion in the device with the read software code portion (Fig.3, Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 1-30).

12. With respect to claim 11, Reber further teaches usage of read software code is limited to a predetermined number of usage times or a predetermined time (Fig.3, Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 1-30).

With respect to claim 12, Reber further teaches the data storage includes a selling box of the electronic device (Fig.1, fig.14, page 6, lines 33-37, page 9, lines 1-30).

With respect to claim 13, Reber further teaches the data storage includes information for starting an application at the electronic device (Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, and lines 1-30).

With respect to claim 14 Reber further teaches the data storage element includes information for starting an application at the electronic device is a mobile phone (Fig.1).

With respect to claim 15, Reber teaches an electronic device, wherein the device includes:

reading means for reading at least one data storage element from a user manual including the plurality of data storage elements on the pages of the user manual, each data storage element including instructions needed to solve a usage problem of the

electronic device (Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 5-25)  
(Fig.1, fig.14, page 6, lines 33-37, page 9, lines 1-30);

controlling means for performing at least one operational setting on the basis of the read data storage element and for the purpose of solving the usage problem encountered by a user of the electronic device (Fig.1, page 5, 5-37, page 8, lines 33-37, page 9, and lines 1-30).

With respect to claim 16, Reber further teaches the controlling means is arranged to start an application in the device (Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, and lines 1-30).

13. With respect to claim 17, Reber further teaches the controlling means is arranged to illustrate performing of an operational setting in a step-by-step manner, step transitions being triggered by expiry of a timer or by pressing of a key of the device (Fig.3, Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 1-30).

14. With respect to claim 18, Reber further teaches wherein the reading means is arranged to read a software code portion from the data storage element and the controlling means is arranged to add the software code portion to an existing code base in the device (Fig.3, Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 1-30).

With respect to claim 19, Reber further teaches the reading means is arranged to read a software code portion from the data storage element and the controlling means is arranged to replace an existing software code portion in the device with the read

software code portion (Fig.3, Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 1-30).

With respect to claim 20, Reber further teaches the reading means is arranged to read a media content from the data storage element and the controlling means is arranged to add the media content to a media base of the device (Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, and lines 1-30).

With respect to claim 21, Reber teaches A user manual for usage of an electronic device wherein the user manual includes a plurality of data storage elements in the pages of the user manual each data storage element including instructions needed to solve a usage problem of the electronic device (Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 5-25).

With respect to claim 22, Reber further teaches the data storage includes a selling box of the electronic device (Fig.1, fig.14, page 6, lines 33-37, page 9, and lines 1-30).

With respect to claim 23, Reber teaches a Method for initiating functionality in an electronic device, the method comprising:  
  
reading, by using the device, at least one data storage element from a user manual including a plurality of data storage elements on the pages of the user manual, each data storage element including instructions needed to solve a usage problem of the electronic device, (Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, lines 5-25) (Fig.1, fig.14, page 6, lines 33-37, page 9, lines 1-30);

performing, in the electronic device, at least one operational setting on the basis of the read data storage element and for the purpose of solving the usage problem encountered by a user of the electronic device (Fig.1, page 5, 5-37, page 8, lines 33-37, page 9, and lines 1-30).

With respect to claim 24, Reber further teaches the data storage includes a selling box of the electronic device (Fig.1, fig.14, page 6, lines 33-37, page 9, and lines 1-30).

With respect to claim 25, Reber further teaches the step of locating, in the selling box, a data storage element corresponding to an application at the device, wherein the functionality implemented upon reading of the data storage element, is starting of an application (Fig.1, page 5, lines 5-37, page 8, lines 33-37, page 9, and lines 1-30).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amar Daglawi whose telephone number is 571-270-1221. The examiner can normally be reached on Monday- Friday (7:30 AM- 5:00 AM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yuwen Pan can be reached on 571-272-7855. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amar Daglawi/  
Examiner, Art Unit 2618

/Yuwen Pan/  
Primary Examiner, Art Unit 2618

Application/Control Number: 10/591,762  
Art Unit: 2618

Page 9